

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Application of: Sunil KOCHHAR et al.

Confirmation No. 3096

Application No.: 10/812,093

Group Art Unit: 1761

Filing Date: March 30, 2004

Examiner:

For: COCOA FLAVOR PRECURSOR
PEPTIDES

Atty. Docket No.: 88265-6578

**POWER OF ATTORNEY
STATEMENT UNDER 37 CFR 3.73(b)**

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

As shown by the attached copy of POWER OF ATTORNEY TO PROSECUTE APPLICATION BEFORE THE USPTO, the undersigned attorney of WINSTON & STRAWN LLP (Customer No. 28765) has been appointed to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith.

An assignment of the entire interest in the above-identified subject application:

- ☒ is submitted herewith for recording and a copy is attached.
☐ was submitted for recordation on _____ and a copy is attached.
☐ was recorded on _____ at Reel _____, Frame _____.

The undersigned attorney has reviewed this assignment and, to the best of his/her knowledge, and belief, the application is owned by the Assignee NESTEC S.A. and that he/she is empowered and authorized to act on their behalf.

Please direct all correspondence for this application to Customer No. 28765 to the attention of Patent Department (telephone 202-371-5904, facsimile 202-371-5950).

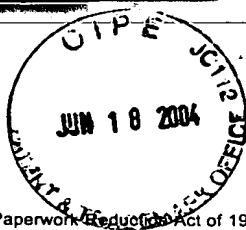
Respectfully submitted,

Date: 6/18/04

Allan A. Fanucci
Allan A. Fanucci (Reg. No. 30,256)

WINSTON & STRAWN LLP
CUSTOMER NO. 28765
(212) 294-3311

Enclosure



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTO/SB/80 (12-03)
Approved for use through 11/30/2005. OMB 0651-0035
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE USPTO

I hereby appoint:

☒ Practitioners associated with the Customer Number:

28765

OR

☐ Practitioner(s) named below (if more than ten patent practitioners are to be named, then a customer number must be used):

Name	Registration Number

as attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned only to the undersigned according to the USPTO assignment records or assignment documents attached to this form in accordance with 37 CFR 3.73(b).

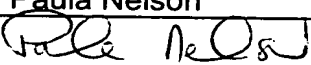
Assignee Name and Address:

Nestec S.A.
Avenue Nestlé 55
CH-1800 Vevey
Switzerland

A copy of this form, together with a statement under 37 CFR 3.73(b) (Form PTO/SB/96 or equivalent) is required to be filed in each application in which this form is used. The statement under 37 CFR 3.73(b) may be completed by one of the practitioners appointed in this form if the appointed practitioner is authorized to act on behalf of the assignee, and must identify the application in which this Power of Attorney is to be filed.

SIGNATURE of Assignee of Record

The individual whose signature and title is supplied below is authorized to act on behalf of the assignee

Name	Paula Nelson		
Signature		Date	24.02.04
Title	Vice President	Telephone	

SEND TO: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.

ASSIGNMENT

WHEREAS, each of

Sunil KOCHHAR, a citizen of India, residing at,
Chemin du Grammont 2, Claies-aux-Moines, CH-1073
Savigny; Switzerland;

Carl Erik HANSEN, a citizen of Norway, residing at,
Chemin du Pré-d'Yverdon 5E, CH-1066 Epalinges, Switzerland;

Marcel Alexandre JULLERAT, a citizen of Switzerland,
residing at, Chemin Praz-Dom-Nicod 10, Vers-Chez-Les-Blancs,
CH-1000 Lausanne 26, Switzerland.

Hans-Juergen WILLE, a citizen of Germany, residing at.
28 Grande Rue, F-60000 St Martin-le-Noeud, France;

Elif BUYUKPAMUKCU, a citizen of Turkey, residing at,
Avenue Montagibert 4, CH-1005 Lausanne, Switzerland;

Brendan KEELY, a citizen of United Kingdom, residing at,
31 Sim Balk Lane, Bishopthorpe, York YO23 2QH, Great Britain;

David Murray GOODALL, a citizen of United Kingdom, , residing at,
62 The Old Village, Huntington, York, YO32 9RB, Great Britain.

ASSIGNOR, is an inventor of the invention in **COCOA FLAVOR
PRECURSOR PEPTIDES**, for which an application for a Patent of the United States,
identified by Winston & Strawn Docket No. **88265-6578**

- ☒ is executed on even date herewith
☐ was filed on _____ as Application No. _____.

WHEREAS, **NESTEC S.A.**, a Swiss corporate body having a place of business at
Avenue Nestlé 55, 1800 Vevey, Switzerland, ASSIGNEE, is desirous of obtaining each
inventor's entire right, title and interest in, to and under the said invention and the said
application.

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to each
inventor in hand paid, and other good and valuable consideration, the receipt of which is
hereby acknowledged, each ASSIGNOR has sold, assigned, transferred and set over, and by
these presents does hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its

successors, legal representatives and assigns, his or her entire right, title and interest in, to and under the said invention, and the said United States application and all divisions, renewals and continuations thereof, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof;

And each ASSIGNOR hereby authorizes and requests the Commissioner of Patents and Trademarks of the United States, to issue the same to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument;

And each ASSIGNOR hereby covenants and agrees that he or she has the full right to convey the entire interest herein assigned, and that he or she has not executed, and will not execute, any agreement in conflict herewith;

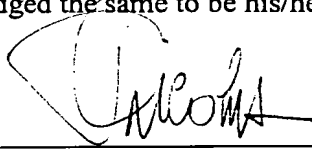
And each ASSIGNOR hereby further covenants and agrees that he or she will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to him or her respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, and reissue applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for said invention;

And each ASSIGNOR hereby authorizes the ASSIGNEE's patent attorney to complete this form by the addition of the application number, application filing date, and attorney docket number, if necessary.

In witness whereof, each inventor has affixed his or her signature.

2004-03-24
Date
Sunil KOCHHAR
Sunil KOCHHAR

On this 24 day of March, 2004, before me, Witness, personally appeared **Sunil KOCHHAR**, to me known and known to me to be the person of that name, who signed the foregoing instrument and acknowledged the same to be his/her free act and deed.


Witness

23 March 2004
Date

CARL ERIC HANSEN
Carl Erik HANSEN

On this 23rd day of March, 2004, before me, Witness, personally appeared **Carl Erik HANSEN**, to me known and known to me to be the person of that name, who signed the foregoing instrument and acknowledged the same to be his/her free act and deed.

D. Chénier
Witness

28 March 2004
Date

Marcel Alexandre Juillerat
Marcel Alexandre JUILLERAT

On this 28 day of March, 2004, before me, Witness, personally appeared **Marcel Alexandre JUILLERAT**, to me known and known to me to be the person of that name, who signed the foregoing instrument and acknowledged the same to be his/her free act and deed.

B. Beller
Witness

Date

Hans-Juergen WILLE

On this _____ day of _____, 2004, before me, Witness, personally appeared **Hans-Juergen WILLE**, to me known and known to me to be the person of that name, who signed the foregoing instrument and acknowledged the same to be his/her free act and deed.

Witness

24th, March 2004
Date

Elif BUYUKPAMUKCU
Elif BUYUKPAMUKCU

On this 24 day of March, 2004, before me, Witness, personally appeared **Elif BUYUKPAMUKCU**, to me known and known to me to be the person of that name, who signed the foregoing instrument and acknowledged the same to be his/her free act and deed.

[Signature]
Witness

Date

Brendan KEELY

On this _____ day of _____, 2004, before me, Witness, personally appeared **Brendan KEELY**, to me known and known to me to be the person of that name, who signed the foregoing instrument and acknowledged the same to be his/her free act and deed.

Witness

Date

David Murray GOODALL

On this _____ day of _____, 2004, before me, Witness, personally appeared **David Murray GOODALL**, to me known and known to me to be the person of that name, who signed the foregoing instrument and acknowledged the same to be his/her free act and deed.

Witness

ASSIGNMENT

WHEREAS, each of

Sunil KOCHHAR, a citizen of India, residing at,
Chemin du Grammont 2, Claies-aux-Moines, CH-1073
Savigny, Switzerland;

Carl Erik HANSEN, a citizen of Norway, residing at,
Chemin du Pré-d'Yverdon 5E, CH-1066 Epalinges, Switzerland;

Marcel Alexandre JUILLERAT, a citizen of Switzerland,
residing at, Chemin Praz-Dom-Nicod 10, Vers-Chez-Les-Blancs,
CH-1000 Lausanne 26, Switzerland.

Hans-Juergen WILLE, a citizen of Germany, residing at.
28 Grande Rue, F-60000 St Martin-le-Noeud, France;

Elif BUYUKPAMUKCU, a citizen of Turkey, residing at,
Avenue Montagibert 4, CH-1005 Lausanne, Switzerland;

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ASSIGNOR, is an inventor of the invention in **COCOA FLAVOR
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- ☒ is executed on even date herewith
☐ was filed on _____ as Application No. _____.

WHEREAS, **NESTEC S.A.**, a Swiss corporate body having a place of business at
Avenue Nestlé 55, 1800 Vevey, Switzerland, ASSIGNEE, is desirous of obtaining each
inventor's entire right, title and interest in, to and under the said invention and the said
application.

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to each
inventor in hand paid, and other good and valuable consideration, the receipt of which is
hereby acknowledged, each ASSIGNOR has sold, assigned, transferred and set over, and by
these presents does hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its

successors, legal representatives and assigns, his or her entire right, title and interest in, to and under the said invention, and the said United States application and all divisions, renewals and continuations thereof, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof;

And each ASSIGNOR hereby authorizes and requests the Commissioner of Patents and Trademarks of the United States, to issue the same to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument;

And each ASSIGNOR hereby covenants and agrees that he or she has the full right to convey the entire interest herein assigned, and that he or she has not executed, and will not execute, any agreement in conflict herewith;

And each ASSIGNOR hereby further covenants and agrees that he or she will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to him or her respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, and reissue applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for said invention;

And each ASSIGNOR hereby authorizes the ASSIGNEE's patent attorney to complete this form by the addition of the application number, application filing date, and attorney docket number, if necessary.

In witness whereof, each inventor has affixed his or her signature.

Date

Sunil KOCHHAR

On this _____ day of _____, 2004, before me, Witness, personally appeared **Sunil KOCHHAR**, to me known and known to me to be the person of that name, who signed the foregoing instrument and acknowledged the same to be his/her free act and deed.

Witness

Date

Carl Erik HANSEN

On this _____ day of _____, 2004, before me, Witness, personally appeared **Carl Erik HANSEN**, to me known and known to me to be the person of that name, who signed the foregoing instrument and acknowledged the same to be his/her free act and deed.

Witness

Date

Marcel Alexandre JUILLERAT

On this _____ day of _____, 2004, before me, Witness, personally appeared **Marcel Alexandre JUILLERAT**, to me known and known to me to be the person of that name, who signed the foregoing instrument and acknowledged the same to be his/her free act and deed.

Witness

23.03.04
Date



Hans-Juergen WILLE

On this 23 day of March, 2004, before me, Witness, personally appeared **Hans-Juergen WILLE**, to me known and known to me to be the person of that name, who signed the foregoing instrument and acknowledged the same to be his/her free act and deed.

Sylvie Collé

Witness

Date

Elif BUYUKPAMUKCU

On this _____ day of _____, 2004, before me, Witness, personally appeared **Elif BUYUKPAMUKCU**, to me known and known to me to be the person of that name, who signed the foregoing instrument and acknowledged the same to be his/her free act and deed.

Witness

Date

Brendan KEELY

On this _____ day of _____, 2004, before me, Witness, personally appeared **Brendan KEELY**, to me known and known to me to be the person of that name, who signed the foregoing instrument and acknowledged the same to be his/her free act and deed.

Witness

Date

David Murray GOODALL

On this _____ day of _____, 2004, before me, Witness, personally appeared **David Murray GOODALL**, to me known and known to me to be the person of that name, who signed the foregoing instrument and acknowledged the same to be his/her free act and deed.

Witness

ASSIGNMENT

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Marcel Alexandre JUILLERAT, a citizen of Switzerland,
residing at, Chemin Praz-Dom-Nicod 10, Vers-Chez-Les-Blancs,
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Brendan KEELY, a citizen of United Kingdom, residing at,
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David Murray GOODALL, a citizen of United Kingdom, , residing at,
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hereby acknowledged, each ASSIGNOR has sold, assigned, transferred and set over, and by
these presents does hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its

successors, legal representatives and assigns, his or her entire right, title and interest in, to and under the said invention, and the said United States application and all divisions, renewals and continuations thereof, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof;

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And each ASSIGNOR hereby further covenants and agrees that he or she will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to him or her respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, and reissue applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for said invention;

And each ASSIGNOR hereby authorizes the ASSIGNEE's patent attorney to complete this form by the addition of the application number, application filing date, and attorney docket number, if necessary.

In witness whereof, each inventor has affixed his or her signature.

Date

Sunil KOCHHAR

On this _____ day of _____, 2004, before me, Witness, personally appeared **Sunil KOCHHAR**, to me known and known to me to be the person of that name, who signed the foregoing instrument and acknowledged the same to be his/her free act and deed.

Witness

Date

Carl Erik HANSEN

On this _____ day of _____, 2004, before me, Witness, personally appeared **Carl Erik HANSEN**, to me known and known to me to be the person of that name, who signed the foregoing instrument and acknowledged the same to be his/her free act and deed.

Witness

Date

Marcel Alexandre JUILLERAT

On this _____ day of _____, 2004, before me, Witness, personally appeared **Marcel Alexandre JUILLERAT**, to me known and known to me to be the person of that name, who signed the foregoing instrument and acknowledged the same to be his/her free act and deed.

Witness

Date

Hans-Juergen WILLE

On this _____ day of _____, 2004, before me, Witness, personally appeared **Hans-Juergen WILLE**, to me known and known to me to be the person of that name, who signed the foregoing instrument and acknowledged the same to be his/her free act and deed.

Witness

Date

Elif BUYUKPAMUKCU

On this _____ day of _____, 2004, before me, Witness, personally appeared **Elif BUYUKPAMUKCU**, to me known and known to me to be the person of that name, who signed the foregoing instrument and acknowledged the same to be his/her free act and deed.

Witness

23/3/2004

Date

Brendan Keely

Brendan KEELY

On this 23 day of MARCH, 2004, before me, Witness, personally appeared **Brendan KEELY**, to me known and known to me to be the person of that name, who signed the foregoing instrument and acknowledged the same to be his/her free act and deed.

E A Haywood

Witness
E A HAYWOOD

23 March 2004

Date

David M. Goodall

David Murray GOODALL

On this 23 day of March, 2004, before me, Witness, personally appeared **David Murray GOODALL**, to me known and known to me to be the person of that name, who signed the foregoing instrument and acknowledged the same to be his/her free act and deed.

Ed Bergström

Witness
Ed Bergström